

UNITED STATES BANKRUPTCY COURT  
Eastern District of California  
Honorable René Lastreto  
Hearing Date: Thursday, March 31, 2016  
Place: Department B – Courtroom #13  
Fresno, California

**INSTRUCTIONS FOR PRE-HEARING DISPOSITIONS**

1. The following rulings are tentative. The tentative ruling will not become the final ruling until the matter is called at the scheduled hearing. **Pre-disposed matters will generally be called, and the rulings placed on the record at the end of the calendar.** Any party who desires to be heard with regard to a pre-disposed matter may appear at the hearing. If the party wishes to contest the tentative ruling, he/she shall notify the opposing party/counsel of his/her intention to appear. **If no disposition is set forth below, the hearing will take place as scheduled.**
2. Submission of Orders:  
  
Unless the tentative ruling expressly states that the court will prepare a civil minute order, then the tentative ruling will only appear in the minutes. If any party desires an order, then the appropriate form of order, which conforms to the tentative ruling, must be submitted to the court. When the debtor(s) discharge has been entered, proposed orders for relief from stay must reflect that the motion is denied as to the debtor(s) and granted only as to the trustee. Entry of discharge normally is indicated on the calendar.
3. Matters Resolved Without Opposition:  
  
If the tentative ruling states that no opposition was filed, and the moving party is aware of any reason, such as a settlement, why a response may not have been filed, the moving party must advise Vicky McKinney, the Calendar Clerk, at (559) 499-5825 by 4:00 p.m. the day before the scheduled hearing.
4. Matters Resolved by Stipulation:  
  
If the parties resolve a matter by stipulation after the tentative ruling has been posted, but **before the formal order is entered on the docket**, the **moving party** may appear at the hearing and advise the court of the settlement or withdraw the motion. Alternatively, the parties may submit a stipulation and order to modify the tentative ruling together with the proposed order resolving the matter.
5. Resubmittal of Denied Matters:  
  
If the moving party decides to re-file a matter that is denied without prejudice for any reason set forth below, the moving party must file and serve a new set of pleadings with a new docket control number. It may not simply re-notice the original motion.

**THE COURT ENDEAVORS TO PUBLISH ITS PREDISPOSITIONS AS SOON AS POSSIBLE, HOWEVER CALENDAR PREPARATION IS ONGOING AND THESE PREDISPOSITIONS MAY BE REVISED OR UPDATED AT ANY TIME PRIOR TO 4:00 P.M. THE DAY BEFORE THE SCHEDULED HEARINGS. PLEASE CHECK AT THAT TIME FOR POSSIBLE UPDATES.**

**9:30 A.M.**

1. [16-10601](#)-B-7 JENNIFER PLAZA

ORDER TO SHOW CAUSE - FAILURE  
TO PAY FEES  
3-14-16 [[11](#)]

SCOTT SAGARIA/Atty. for dbt.  
FILING FEE PAID IN FULL  
3/14/16

**The record shows that the required fee has been paid in full. The OSC will be vacated. No appearance is necessary.**

2. [15-14706](#)-B-7 FELIBERTO LIMON AND NORMA

MOTION TO SELL  
3-2-16 [[17](#)]

TMT-1 URBANO  
TRUDI MANFREDO/MV  
JEFFREY ROWE/Atty. for dbt.  
TRUDI MANFREDO/Atty. for mv.

**This matter was fully noticed in compliance with the Local Rules and there is no opposition. Accordingly, the respondent(s) default will be entered and the motion will be granted without oral argument for cause shown. The moving party shall submit a proposed order. No appearance is necessary.**

3. [16-10110](#)-B-7 KIO YOON  
SC-1  
WEST RIDGE RENTALS, LLC/MV  
SAM CHANDRA/Atty. for mv.  
RESPONSIVE PLEADING

CONTINUED MOTION FOR RELIEF  
FROM AUTOMATIC STAY  
2-9-16 [[24](#)]

**Based on the trustee's notice and motion to dismiss this case for failure of the debtor to appear at the §341 meeting of creditors, this matter and the status conference in the related adversary proceeding currently set for April 13, 2016, will be continued to April 27, 2016, at 9:30 a.m.**

**The motion for relief from stay was filed and noticed pursuant to LBR 9014-(f)(2). Therefore, the movant has waived the time limitations contained in 11 U.S.C. §362(e). See LBR 4001-1(a)(1); 9014-1(f)(2)(B).**

**The court notes that the debtor has filed a "Debtor's Reply to Movant Re; [sic] Motion for Relief the Automatic Stay" [sic], Doc. Num. 51, on March 24, 2016. The court's local rules do not provide for the filing of sur-replies. Pursuant to LBR 9014-1(f)(1)(C) and (D) the evidentiary record on this motion closed when movant filed its Reply. No further documents shall be submitted on this motion without further order of the court. Debtor's sur-reply is stricken and will not be considered. LBR 1001-1(g).**

**The court will enter a civil minute order. No appearance is necessary.**

4. [16-10112](#)-B-7     CHANG WOO  
SC-1  
WEST RIDGE RENTALS, LLC/MV  
SAM CHANDRA/Atty. for mv.  
RESPONSIVE PLEADING

CONTINUED MOTION FOR RELIEF  
FROM AUTOMATIC STAY  
2-4-16 [[23](#)]

Based on the trustee's notice and motion to dismiss this case for failure of the debtor to appear at the §341 meeting of creditors, this matter and the status conference in the related adversary proceeding currently set for April 13, 2016, will be continued to April 27, 2016, at 9:30 a.m.

The motion for relief from stay was filed and noticed pursuant to LBR 9014-(f)(2). Therefore, the movant has waived the time limitations contained in 11 U.S.C. §362(e). See LBR 4001-1(a)(1); 9014-1(f)(2)(B).

The court notes that the debtor has filed a "Debtor's Reply to Movant Re; [sic] Motion for Relief the Automatic Stay" [sic], Doc. Num. 51, on March 24, 2016. The court's local rules do not provide for the filing of sur-replies. Pursuant to LBR 9014-1(f)(1)(C) and (D) the evidentiary record on this motion closed when movant filed its Reply. No further documents shall be submitted on this motion without further order of the court. Debtor's sur-reply is stricken and will not be considered. LBR 1001-1(g).

The court will enter a civil minute order. No appearance is necessary.

5. [16-10115](#)-B-7     KYOUNG HAN  
SC-1  
WEST RIDGE RENTALS, LLC/MV  
SAM CHANDRA/Atty. for mv.  
RESPONSIVE PLEADING

CONTINUED MOTION FOR RELIEF  
FROM AUTOMATIC STAY  
2-9-16 [[24](#)]

Based on the trustee's notice and motion to dismiss this case for failure of the debtor to appear at the §341 meeting of creditors, this matter and the status conference in the related adversary proceeding currently set for April 13, 2016, will be continued to April 27, 2016, at 9:30 a.m.

The motion for relief from stay was filed and noticed pursuant to LBR 9014-(f)(2). Therefore, the movant has waived the time limitations contained in 11 U.S.C. §362(e). See LBR 4001-1(a)(1); 9014-1(f)(2)(B).

The court notes that the debtor has filed a "Debtor's Reply to Movant Re; [sic] Motion for Relief the Automatic Stay" [sic], Doc. Num. 51, on March 24, 2016. The court's local rules do not provide for the filing of sur-replies. Pursuant to LBR 9014-1(f)(1)(C) and (D) the evidentiary record on this motion closed when movant filed its Reply. No further documents shall be submitted on this motion without further order of the court. Debtor's sur-reply is stricken and will not be considered. LBR 1001-1(g).

The court will enter a civil minute order. No appearance is necessary.

6. [15-14919](#)-B-7 CHRISTOPHER/SHANNON DUGIE MOTION TO SELL  
RHT-1 3-3-16 [[25](#)]  
ROBERT HAWKINS/MV  
MARK ZIMMERMAN/Atty. for dbt.  
ROBERT HAWKINS/Atty. for mv.

**This matter was fully noticed in compliance with the Local Rules and there is no opposition. Accordingly, the respondent(s) default will be entered and the motion will be granted without oral argument for cause shown. The moving party shall submit a proposed order. No appearance is necessary.**

7. [12-16724](#)-B-7 RAY/SHIRLEY CROUCH ORDER TO SHOW CAUSE - FAILURE  
TO PAY FEES  
3-15-16 [[62](#)]  
VINCENT GORSKI/Atty. for dbt.

**The record shows that the required fee has been paid in full. The OSC will be vacated. No appearance is necessary.**

8. [15-14825](#)-B-7 TOMMY/JOANN TAYLOR MOTION FOR RELIEF FROM  
AP-1 AUTOMATIC STAY  
WELLS FARGO BANK, N.A./MV 3-2-16 [[11](#)]  
JOSEPH PEARL/Atty. for dbt.  
JONATHAN CAHILL/Atty. for mv.

**This motion for relief from stay was fully noticed in compliance with the Local Rules and there was no opposition. The debtors' default will be entered and the motion will be granted without oral argument for cause shown. The automatic stay is terminated as it applies to the movant's right to enforce its remedies against the subject property under applicable nonbankruptcy law. The proposed order shall specifically describe the property or action to which the order relates. If the motion involves a foreclosure of real property in California, then the order shall also provide that the bankruptcy proceeding has been finalized for purposes of California Civil Code 2923.5 to the extent that it applies. If the notice and motion requested a waiver of Federal Rules of Bankruptcy Procedure 4001(a)(3), that relief will be granted. Unless the court expressly orders otherwise, the proposed order shall not include any other relief. If the prayer for relief includes a request for adequate protection, and/or a request for an award of attorney fees, those requests will be denied without prejudice. Adequate protection is unnecessary in light of the relief granted herein. A motion for attorney fees pursuant to 11 U.S.C. §506(b), or applicable nonbankruptcy law, must be separately noticed and separately briefed with appropriate legal authority and supporting documentation. No appearance is necessary.**

9. [15-14835](#)-B-7 VERDE AGRIBUSINESS, LLC MOTION TO EXTEND TIME  
JES-1 2-16-16 [[30](#)]  
JAMES SALVEN/MV  
JOEL WINTER/Atty. for dbt.  
JAMES SALVEN/Atty. for mv.

**This matter was fully noticed in compliance with the Local Rules and there is no opposition. Accordingly, the respondent(s) default will be entered and the motion will be granted without oral argument for cause shown. The time for the trustee to assume or reject the "Revised Contract" with Sheri Sepanski, signed and dated August 25, 2015, will be extended from February 16, 2016, to June 30, 2016.**

**This order does not affect the modification of the automatic stay, previously ordered, affecting the real property described in the "Revised Contract" described in the motion. The court will enter a civil minute order. No appearance is necessary.**

10. [12-15547](#)-B-7 DONNA/EVERETT DAVIS STATUS CONFERENCE RE: OBJECTION  
RH-7 TO DEBTOR'S CLAIM OF EXEMPTIONS  
JAMES SALVEN/MV 2-9-16 [[149](#)]  
GARY HUSS/Atty. for dbt.  
ROBERT HAWKINS/Atty. for mv.  
RESPONSIVE PLEADING

11. [12-15547](#)-B-7 DONNA/EVERETT DAVIS STATUS CONFERENCE RE: OBJECTION  
RH-7 TO DEBTOR'S CLAIM OF EXEMPTIONS  
JAMES SALVEN/MV 2-9-16 [[152](#)]  
GARY HUSS/Atty. for dbt.  
ROBERT HAWKINS/Atty. for mv.  
RESPONSIVE PLEADING

12. [15-12948](#)-B-7 RAYMOND RENTERIA FURTHER STATUS CONFERENCE RE:  
JJW-1 OBJECTION TO DEBTOR'S CLAIM OF  
ANTONETTE GUTIERREZ/MV EXEMPTIONS  
9-15-15 [[15](#)]  
HENRY NUNEZ/Atty. for dbt.  
MARK POOCHIGIAN/Atty. for mv.  
WITHDRAWN

**The objection has been withdrawn. No appearance is necessary.**

13. [13-13172](#)-B-7 HDD ELECTRIC INC. MOTION FOR ADMINISTRATIVE  
PFT-2 EXPENSES  
PETER FEAR/MV 2-12-16 [[39](#)]  
GARY HUSS/Atty. for dbt.  
ROBERT HAWKINS/Atty. for mv.

**This matter was fully noticed in compliance with the Local Rules and there is no opposition. Accordingly, the respondent(s) default will be entered and the motion will be granted without oral argument for cause shown. The moving party shall submit a proposed order. No appearance is necessary.**

14. [13-15793](#)-B-7 NICOLE PRICE  
WW-2  
NICOLE PRICE/MV  
RILEY WALTER/Atty. for dbt.

MOTION TO AVOID LIEN OF JP  
MORGAN CHASE BANK, NA  
3-17-16 [[24](#)]

15. [15-14597](#)-B-7 JAIME GONZALEZ  
UST-1  
TRACY DAVIS/MV  
MICHAEL ARNOLD/Atty. for dbt.  
ROBIN TUBESING/Atty. for mv.

MOTION TO DISMISS CASE PURSUANT  
TO 11 U.S.C. SECTION 707(B)  
3-3-16 [[20](#)]

**The U.S. Trustee's motion to dismiss this case pursuant to 11 U.S.C. §707(b) was fully noticed in compliance with the Local Rules. Subsequently, on March 24, 2016, the debtor filed and served a motion to convert his case to chapter 13. Based on the U.S. Trustee's motion to dismiss the chapter 7 case, the debtor's motion to convert to chapter 13 will be deemed to be in good faith and will be granted *ex parte* for cause shown without oral argument. Accordingly, the hearing on that motion currently scheduled for April 27, 2016, at 9:30 a.m., will be vacated. The court will enter a civil minute order. No appearance is necessary.**

11:00 A.M.

1. [15-14658](#)-B-7 MIGUEL DIAZ

PRO SE REAFFIRMATION AGREEMENT  
WITH GOLDEN 1 CREDIT UNION  
3-10-16 [[16](#)]

THOMAS GILLIS/Atty. for dbt.

The hearing will be dropped from calendar. The court intends to deny approval of this reaffirmation agreement. Debtor was represented by counsel when he entered into the reaffirmation agreement. Pursuant to 11 U.S.C. §524(c)(3), if the debtor is represented by counsel, the agreement must be accompanied by an affidavit of the debtor's attorney attesting to the referenced items before the agreement will have legal effect. *In re Minardi*, 399 B.R. 841, 846 (Bankr. N.D. Ok, 2009) (emphasis in original). The reaffirmation agreement, in the absence of a declaration by debtor's counsel, does not meet the requirements of 11 U.S.C. §524(c) and is not enforceable. In addition, both the reaffirmation agreement and the bankruptcy schedules show that reaffirmation of this debt creates a presumption of undue hardship which has not been rebutted in the reaffirmation agreement. No appearance is necessary.

1:30 P.M.

1. [14-12702](#)-B-13 GABRIEL/SANDRA AYALA MOTION TO DISMISS CASE  
MHM-2 2-8-16 [[36](#)]  
MICHAEL MEYER/MV  
PETER BUNTING/Atty. for dbt.

The trustee's motion has been withdrawn. No appearance is necessary.

2. [15-13602](#)-B-13 MANUEL/ROSE ALVAREZ MOTION TO DISMISS CASE  
MHM-1 3-3-16 [[46](#)]  
MICHAEL MEYER/MV  
PETER BUNTING/Atty. for dbt.  
RESPONSIVE PLEADING

The trustee's motion has been withdrawn. No appearance is necessary.

3. [15-13602](#)-B-13 MANUEL/ROSE ALVAREZ CONTINUED MOTION TO CONFIRM  
PBB-1 PLAN  
MANUEL ALVAREZ/MV 11-20-15 [[21](#)]  
PETER BUNTING/Atty. for dbt.  
RESPONSIVE PLEADING

The motion to confirm or modify a chapter 13 plan was fully noticed in compliance with the Local Rules and the trustee's objection has been withdrawn. The motion will be granted without oral argument for cause shown. The debtors shall submit a proposed confirmation order for approval to the chapter 13 trustee. The confirmation order shall include the docket control number of the motion and it shall reference the plan by the date it was filed. No appearance is necessary.

4. [16-10014](#)-B-13 BRENT SCHAIBLE ORDER TO SHOW CAUSE - FAILURE  
TO PAY FEES  
3-10-16 [[26](#)]  
  
DAVID JENKINS/Atty. for dbt.

The record shows that the required fee has been paid. No appearance is necessary.

5. [13-12015](#)-B-13 ALEJANDRO ROCHA MOTION TO DISMISS CASE  
MHM-1 2-8-16 [[32](#)]  
MICHAEL MEYER/MV  
THOMAS GILLIS/Atty. for dbt.  
RESPONSIVE PLEADING

The trustee's motion has been withdrawn. No appearance is necessary.



6. [15-11722](#)-B-13 JULIA JIMENEZ  
MHM-1  
MICHAEL MEYER/MV  
STEPHEN LABIAK/Atty. for dbt.

MOTION TO DISMISS CASE  
2-12-16 [[29](#)]

**The chapter 13 trustee's motion to dismiss was fully noticed in compliance with the Local Rules and there is no opposition. The record shows that there is a material default in the chapter 13 plan payments that has not been cured. Accordingly, the respondent's default will be entered and the motion will be granted without oral argument. The case will be dismissed for cause shown. The court will prepare and enter a civil minute order. No appearance is necessary.**

7. [15-14723](#)-B-13 ALVINO GARCIA  
APN-1  
WELLS FARGO BANK, N.A./MV  
  
TIMOTHY SPRINGER/Atty. for dbt.  
AUSTIN NAGEL/Atty. for mv.

CONTINUED OBJECTION TO  
CONFIRMATION OF PLAN BY WELLS  
FARGO BANK, N.A.  
1-11-16 [[15](#)]

**This matter will be dropped from calendar without a disposition. The case has already been dismissed. No appearance is necessary.**

8. [15-12326](#)-B-13 FRED/EVA ARREOLA  
MHM-2  
MICHAEL MEYER/MV  
PETER FEAR/Atty. for dbt.  
RESPONSIVE PLEADING

MOTION TO DISMISS CASE  
2-12-16 [[49](#)]

**The trustee's motion has been withdrawn. No appearance is necessary.**

9. [14-14028](#)-B-13 GEORGETTE AVEDIKIAN  
DRJ-6  
GEORGETTE AVEDIKIAN/MV  
DAVID JENKINS/Atty. for dbt.  
RESPONSIVE PLEADING

MOTION TO MODIFY PLAN  
2-18-16 [[94](#)]

10. [15-14228](#)-B-13 OSCAR GUTIERREZ  
CAA-2  
CARLOS GARCIA/MV  
GLEN GATES/Atty. for dbt.  
CYNTHIA ARROYO/Atty. for mv.

AMENDED MOTION BY CYNTHIA A.  
ARROYO TO WITHDRAW AS ATTORNEY  
3-1-16 [[73](#)]

**The motion will be denied without prejudice. The motion did not include evidence required by LBR 2017-1(e). The moving papers did not include an affidavit stating the current or last known address or addresses of the client and the efforts made to notify the client of the motion to withdraw except an unverified allegation that Mr. Garcia did not object to the withdrawal. The record shows that notices mailed to the client at the address used for service of this motion were returned to the court as undeliverable.**

11. [15-14330](#)-B-13 JOSE/PAULA BUSTAMANTE  
MHM-1  
MICHAEL MEYER/MV  
D. GARDNER/Atty. for dbt.

MOTION TO DISMISS CASE  
3-9-16 [[86](#)]

12. [15-14735](#)-B-13 JAYCE/LISA LEWIS

ORDER TO SHOW CAUSE - FAILURE  
TO PAY FEES  
3-14-16 [[37](#)]

JERRY LOWE/Atty. for dbt.  
FILING FEE PAID IN FULL  
3/16/16

**The record shows that the required fee has been paid in full. The OSC will be dropped from calendar. No appearance is necessary.**

13. [12-16637](#)-B-13 BRADFORD/SHIRLEY WELLS  
MHM-4  
MICHAEL MEYER/MV  
DAVID JENKINS/Atty. for dbt.

MOTION TO DISMISS CASE  
2-10-16 [[110](#)]

**The chapter 13 trustee's motion to dismiss was fully noticed in compliance with the Local Rules and there is no opposition. The record shows that there is a material default in the chapter 13 plan payments that has not been cured. Accordingly, the respondent's default will be entered and the motion will be granted without oral argument. The case will be dismissed for cause shown. The court will prepare and enter a civil minute order. No appearance is necessary.**

14. [15-13937](#)-B-13 ROEUNG BO  
MHM-2  
MICHAEL MEYER/MV  
TIMOTHY SPRINGER/Atty. for dbt.

MOTION TO DISMISS CASE  
1-28-16 [[40](#)]

**The chapter 13 trustee's motion to dismiss was fully noticed in compliance with the Local Rules and there is no opposition. The record shows that there is a material default in the chapter 13 plan payments that has not been cured. Accordingly, the respondent's default will be entered and the motion will be granted without oral argument. The case will be dismissed for cause shown. The court will prepare and enter a civil minute order. No appearance is necessary.**

15. [11-63239](#)-B-13 THOMAS/KRISTAN ADAMS  
MHM-4  
MICHAEL MEYER/MV  
GEOFFREY ADALIAN/Atty. for dbt.  
NON-OPPOSITION

MOTION TO DISMISS CASE  
2-10-16 [[82](#)]

**The chapter 13 trustee's motion to dismiss was fully noticed in compliance with the Local Rules and the debtors filed a notice of non-opposition. Accordingly, the motion will be granted without oral argument. The case will be dismissed for cause shown. The court will prepare and enter a civil minute order. No appearance is necessary.**

16. [13-14140](#)-B-13 JIM/PAMILA HESTILY  
MHM-1  
MICHAEL MEYER/MV  
STEPHEN LABIAK/Atty. for dbt.  
RESPONSIVE PLEADING

MOTION TO DISMISS CASE  
2-8-16 [[46](#)]

**This matter will be continued to April 14, 2016, at 1:30 p.m. The trustee's motion to dismiss the case is based on the debtors' default in plan payments. The debtors have filed and served a modified plan set for a confirmation hearing on the above date that is intended to cure the default. No appearance is necessary.**

**The court notes that the trustee has filed an objection to confirmation of the modified plan.**

17. [15-12643](#)-B-13 REBECCA/MICHAEL HACKWORTH  
MHM-1  
MICHAEL MEYER/MV  
ROBERT WILLIAMS/Atty. for dbt.  
MICHAEL MEYER/Atty. for mv.

MOTION TO DISMISS CASE  
3-9-16 [[50](#)]

18. [11-60445](#)-B-13 THOMAS/CHARLOTTE ARTIAGA  
MHM-1  
MICHAEL MEYER/MV  
JEFF REICH/Atty. for dbt.

MOTION TO DISMISS CASE  
2-5-16 [[36](#)]

**The trustee's motion has been withdrawn. No appearance is necessary.**

19. [16-10148](#)-B-13 DEBORAH GIRARD  
AP-1  
WELLS FARGO BANK, N.A./MV  
JERRY LOWE/Atty. for dbt.  
JONATHAN CAHILL/Atty. for mv.  
RESPONSIVE PLEADING

OBJECTION TO CONFIRMATION OF  
PLAN BY WELLS FARGO BANK, N.A.  
3-7-16 [[15](#)]

20. [15-12349](#)-B-13 ANTHONY/KIMBERLY MIRELEZ  
MHM-2  
MICHAEL MEYER/MV  
JEFFREY ROWE/Atty. for dbt.

MOTION TO DISMISS CASE  
2-12-16 [[36](#)]

**The trustee's motion has been withdrawn. No appearance is necessary.**

21. [15-14151](#)-B-13 MATHEW ALFORD  
SL-2  
MATHEW ALFORD/MV  
SCOTT LYONS/Atty. for dbt.  
RESPONSIVE PLEADING

CONTINUED MOTION TO CONFIRM  
PLAN  
12-10-15 [[36](#)]

22. [13-16653](#)-B-13 MARCUS CESENA  
MHM-4  
MICHAEL MEYER/MV  
STEPHEN LABIAK/Atty. for dbt.

MOTION TO DISMISS CASE  
2-11-16 [[95](#)]

**The chapter 13 trustee's motion to dismiss was fully noticed in compliance with the Local Rules and there is no opposition. The record shows that there is a material default in the chapter 13 plan payments that has not been cured. Accordingly, the respondent's default will be entered and the motion will be granted without oral argument. The case will be dismissed for cause shown. The court will prepare and enter a civil minute order. No appearance is necessary.**

23. [16-10168](#)-B-13 MOISES TURCIOS  
MHM-1  
MICHAEL MEYER/MV  
PATRICK KAVANAGH/Atty. for dbt.

MOTION TO DISMISS CASE  
3-8-16 [[30](#)]

24. [12-17274](#)-B-13 CAESAR PAREDES  
BCS-4  
  
BENJAMIN SHEIN/Atty. for dbt.

MOTION FOR COMPENSATION BY THE  
LAW OFFICE OF SHEIN LAW GROUP,  
PC FOR BENJAMIN SHEIN, DEBTORS  
ATTORNEY(S)  
3-1-16 [[49](#)]

**This matter was fully noticed in compliance with the Local Rules and there is no opposition. Accordingly, the respondent(s) default will be entered and the motion will be granted without oral argument for cause shown. The moving party shall submit a proposed order. No appearance is necessary.**

25. [15-10178](#)-B-13 WESLEY/SUSAN ROBERTSON  
MHM-2  
MICHAEL MEYER/MV  
DAVID JENKINS/Atty. for dbt.

MOTION TO DISMISS CASE  
2-8-16 [[41](#)]

26. [12-19279](#)-B-13 JOHNNY/JUANITA SOTO  
MHM-4  
MICHAEL MEYER/MV  
JOSEPH ARNOLD/Atty. for dbt.

MOTION TO DISMISS CASE  
2-5-16 [[68](#)]

**The chapter 13 trustee's motion to dismiss was fully noticed in compliance with the Local Rules and there is no opposition. The record shows that there is a material default in the chapter 13 plan payments that has not been cured. Accordingly, the respondent's default will be entered and the motion will be granted without oral argument. The case will be dismissed for cause shown. The court will prepare and enter a civil minute order. No appearance is necessary.**

27. [11-16480](#)-B-13 DAVID RUSSO  
MHM-4  
MICHAEL MEYER/MV  
GARY HUSS/Atty. for dbt.

MOTION TO DISMISS CASE  
2-10-16 [[84](#)]

**The trustee's motion has been withdrawn. No appearance is necessary.**

28. [13-14182](#)-B-13 AMY WYMAN  
BCS-5

MOTION FOR COMPENSATION BY THE  
LAW OFFICE OF SHEIN LAW GROUP,  
PC FOR BENJAMIN C. SHEIN,  
DEBTORS ATTORNEY(S)  
3-3-16 [[59](#)]

BENJAMIN SHEIN/Atty. for dbt.

**This matter was fully noticed in compliance with the Local Rules and there is no opposition. Accordingly, the respondent(s) default will be entered and the motion will be granted without oral argument for cause shown. The moving party shall submit a proposed order. No appearance is necessary.**

29. [16-10288](#)-B-13 CLINT/JUDITH HARRISON  
MHM-1  
MICHAEL MEYER/MV  
ROBERT WILLIAMS/Atty. for dbt.

MOTION TO DISMISS CASE  
3-9-16 [[20](#)]

30. [16-10189](#)-B-13 RUBEN ARAMBULA AND IRMA  
TOG-1 GOMEZ  
RUBEN ARAMBULA/MV  
THOMAS GILLIS/Atty. for dbt.  
AMENDED NOTICE OF HEARING

MOTION TO VALUE COLLATERAL OF  
BANK OF AMERICA, N.A.  
2-26-16 [[15](#)]

The motion will be deemed withdrawn without prejudice. This motion was filed on February 26, 2016, however, the record does not show that the moving papers were ever served on anyone.

An "amended" notice of hearing was filed on March 18, 2016, purporting to continue the hearing to April 7, 2016. Accordingly, because the purported "amended" notice of hearing does not comply with Local Bankruptcy Rule 9014-1(j) requiring court approval of a continuance, the re-noticed hearing on April 7, 2016, will be dropped from calendar.

The court notes that, although the "amended" notice was served on the respondent, the respondent has never been served with the motion or other pleadings.

The court will issue a minute order. No appearance is necessary.

31. [16-10192](#)-B-13 APRIL MCFARLAND  
AP-1  
PENNYMAC LOAN SERVICES, LLC/MV  
  
JONATHAN CAHILL/Atty. for mv.

OBJECTION TO CONFIRMATION OF  
PLAN BY PENNYMAC LOAN SERVICES,  
LLC  
3-7-16 [[16](#)]

32. [16-10192](#)-B-13 APRIL MCFARLAND  
MHM-1  
MICHAEL MEYER/MV

MOTION TO DISMISS CASE  
3-14-16 [[24](#)]

33. [10-64693](#)-B-13 GLENN/ELIZABETH DOBBS  
MHM-1  
MICHAEL MEYER/MV

MOTION TO DETERMINE FINAL CURE  
AND MORTGAGE PAYMENT RULE  
3002.1  
2-25-16 [[141](#)]

LEONARD WELSH/Atty. for dbt.  
RESPONSIVE PLEADING

Based on the response by Nationstar Mortgage LLC, this matter will be continued to April 28, 2016, at 1:30 p.m., to permit the submission of additional evidence regarding the discrepancy between the trustee's records and those of the respondent. If this issue is resolved before April 28, 2016, the parties may submit a stipulation and proposed order. The court will enter a civil minute order. No appearance is necessary.

34. [15-12993](#)-B-13 ROBERT/KARLA RODRIGUEZ  
BN-1  
THE GOLDEN 1 CREDIT UNION/MV  
GLEN GATES/Atty. for dbt.  
VALERIE PEO/Atty. for mv.  
RESPONSIVE PLEADING  
MOTION FOR RELIEF FROM  
AUTOMATIC STAY  
3-3-16 [[82](#)]

**This motion for relief from the automatic stay will be denied as moot. The secured claim relating to this collateral is provided for in Class 4 of the debtors' confirmed chapter 13 plan. Upon confirmation of the chapter 13 plan, the automatic stay was modified for this claim to permit enforcement of the creditor's remedies with regard to the collateral in the event of a default under applicable law. No attorney's fees will be awarded in relation to this motion. No appearance is necessary.**

35. [12-10696](#)-B-13 STEPHEN/VICTORIA BELIAEFF  
SAH-4  
STEPHEN BELIAEFF/MV  
SUSAN HEMB/Atty. for dbt.  
MOTION TO MODIFY PLAN  
1-25-16 [[112](#)]

**The motion to modify the confirmed plan will be denied without prejudice. The notice to creditors concerning the change in the dividend provided on unsecured claims is unclear and ambiguous. The prior plan provided for a distribution of 8.18%. The proposed plan provides for a distribution of 0%, however there is no statement that the liquidation analysis under § 1325(a) is satisfied.**

36. [14-15098](#)-B-13 SAMUEL ACEVEDO AND DEBBIE  
MHM-3 SURROCK  
MICHAEL MEYER/MV  
PETER BUNTING/Atty. for dbt.  
MOTION TO DISMISS CASE  
2-11-16 [[73](#)]

**The trustee's motion has been withdrawn. No appearance is necessary.**

37. [11-11899](#)-B-13 DAVID/JANELLE PINNECKER  
TGM-3  
JANELLE PINNECKER/MV  
TRUDI MANFREDO/Atty. for dbt.  
MOTION TO REQUEST WAIVER OF  
1328 CERTIFICATE FOR DECEASED  
DEBTOR  
3-1-16 [[85](#)]

**This matter was fully noticed in compliance with the Local Rules and there is no opposition. Accordingly, the respondent(s) default will be entered and the motion will be granted without oral argument for cause shown. The moving party shall submit a proposed order. No appearance is necessary.**

38. 16-10639-B-13 HAROLD THORNTON  
HDN-2  
HAROLD THORNTON/MV  
HENRY NUNEZ/Atty. for dbt.  
OST 3/24/16  
MOTION TO EXTEND AUTOMATIC STAY  
3-24-16 [ 23 ]